

UNITED STATES DISTRICT COURT

Northern District of California

GYM-MARK, INC. and THE GYMBOREE
CORPORATION

SUMMONS IN A CIVIL CASE

V.

CHILDREN'S APPAREL NETWORK, LTD. and
MERVYN'S LLC

EDL

CASE NUMBER:

C 07 3523

E-Filing

TO: (Name and address of Defendant)
CHILDREN'S APPAREL NETWORK, LTD.
Murray Maleh
Chairman / Chief Executive Officer
Children's Apparel Network, Ltd.
77 South First Street
Elizabeth, New Jersey 07206

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
ANNETTE L. HURST, ESQ.
HELLER EHRLMAN LLP
333 BUSH STREET
SAN FRANCISCO, CA 94104-2878

an answer to the complaint which is served on you with this summons, within TWENTY (20) days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for
the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this
Court within a reasonable period of time after service.

CLERK

DATE

JUL 6 2007

RICHARD W. WIEKING

(By) DEPUTY CLERK

ANNA SPRINKLES

New Jersey Lawyers Service
 2333 U.S. Hwy 22 West
 Union, New Jersey 07083
 908-686-7300



JOB_NUM: 45885

PLAINTIFF

GYM-MARK, INC. AND GYMBOREE CORPORATION VS
 CHILDREN'S APPAREL NETWORK, LTD ANS MERVYN'S LLC

DEFENDANT

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DOCKET: CV-07-3523-EDL

AFFIDAVIT OF SERVICE

Attorney: File # 23714-0037

HELLER EHRLMAN LLP
 333 BUSH STREET - 9th FL
 SAN FRANCISCO CA 94104
 (415) 772-6000

Papers Served: US DISTRICT SUMMONS AND COMPLAINT

Person to be served: MURRAY MALEH, CEO
 CHILDREN'S APPAREL NETWORK, LTD. 77
 SOUTH FIRST STREET
 ELIZABETH NJ 07206

Served Successfully Not Served Date 7/12/2007

Time 10:45 AM

Attempts:

Delivered a copy to him/her personally
 Left a copy with a competent household member
 over 14 years of age residing therein (indicate name
 relationship at right)

Left a copy with a person authorized to accept service, e.g., managing
 agent, registered agent, etc.
 (indicate name, official title at right)

Description of Person Accepting Service:

Sex: M

Age: 50's

Weight: 200

Skin Color: WHITE

Hair Color: S&P

Military Service I asked the person whether recipient was in active military service of the United States or the State of New Jersey in any activity whatever and received a negative reply. Recipient wore civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversation and observation above narrated.

Subscribed and Sworn to me this
25 day of July 2007

I LARRY SABLE, at the time of service a competent
 adult not having a direct interest in the litigation. I declare under penalty of
 perjury that the foregoing is true and correct.

MARCO P. PEREIRA
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Exp. June 5, 2012

Signature of Process Service